

CITY COUNCIL MEETING NO. 04

The Regular Meeting of City Council was held on Tuesday, January 14, 2003 at 7:30 pm in the Council Chamber, City Hall. Her Worship Mayor Isabel Turner presided.

There was an "In-Camera" meeting of the Committee of the Whole from 7:10 pm to 7:30 pm in the Councillors' Lounge.

(Council Chambers)

ROLL CALL

Present: Mayor Turner, Councillor Beavis, Councillor Campbell, Councillor Clements, Councillor Downes (arrived at 8:40 pm), Councillor Foster, Councillor Garrison, Councillor George, Councillor Meers (arrived 7:30 pm), Councillor Pater, Councillor Rogers, Councillor Stoparczyk, Councillor Sutherland (13)

(Council Chambers)

Administrative Staff Present:

Mr. B. Meunier, Chief Administrative Officer
Ms. B. Bielski, Manager, Planning Services
Mr. D. Leger, Commissioner, Corporate Services
Mr. H. Linscott, Director, Legal Services
Ms. S. Rideout, Acting Deputy Clerk
Ms. N. Sullivan, Acting City Clerk

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) Moved by Councillor George
Seconded by Councillor Pater

THAT Council resolve itself into the Committee of the Whole "In Camera" to consider the following items:

1. Legal Matter

CARRIED

(Council Chambers)

Administrative Staff Present:

Mr. B. Meunier, Chief Administrative Officer
Ms. C. Beach, Commissioner, Planning & Development Services
Mr. G. Hunt, Manager, Finance
Mr. D. Leger, Commissioner, Corporate Services
Mr. H. Linscott, Director, Legal Services
Ms. S. Rideout, Acting Deputy Clerk
Mr. M. Segsworth, Commissioner, Operations
Ms. N. Sullivan, Acting City Clerk
Mr. L. Thurston, Commissioner, Community Services

DISCLOSURE OF PECUNIARY INTEREST

City Council Meeting No. 04

Minutes

January 14, 2003

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- (1) Councillor Stoparczyk declared a pecuniary interest in the matter of Clause (c) of Report No. 13 of the Chief Administrative Officer in that the matter affects the interests of a client.

REPORT OF THE COMMITTEE OF THE WHOLE "IN CAMERA"

- (B) Moved by Councillor Campbell
Seconded by Councillor Clements

THAT Council rise from the Committee of the Whole "In Camera" without reporting.

CARRIED

PRESENTATIONS

Council consented to allow Presentation Nos. (1) & (3) 10 minutes.

- (1) Corrie Abrams, Chairperson of the Kingston & District Sports Hall of Fame Selection Committee, presented the names of the 2002 inductees into the Sports Hall of Fame:

- | | |
|--|---|
| • Tony Blake, athlete, stock car racing; | • Guy LaRush, athlete, harness racing; |
| • Doug Hargreaves, builder, football; | • Nelles Megaffin, builder, baseball; |
| • Bernie Houghton, builder, soccer; | • Bob Murray, athlete, hockey; |
| • Dennie Kearns, athlete, hockey; | • Wayne Norris, builder, basketball and football. |

(File No. CSU-C13-00-2002)

- (2) Derek MacPhail, Volunteer Services Director for the Canadian Blood Services, was present to speak on the success of the City's Blood Drive.

(File No. CSU-C13-00-2002)

- (3) John McDowell was present to speak on the economic difficulties for the Senior Citizens of Kingston, as well as the economic disadvantages of a bilingual government system.

(File No. CSU-C13-00-2002)

DELEGATIONS

PETITIONS

REPORTS

Report No. 13 of the Committee of the Whole

City Council Meeting No. 04
Minutes
January 14, 2003

Council consented to the addition of Clause (c).

Council consented to the separation of Clause (c).

Moved by Councillor Pater
Seconded by Councillor Foster

THAT Report No. 13 of the Committee of the Whole (Consent) be received and adopted.

Report No. 13

To the Mayor and Members of Council:
The CAO reports and recommends as follows:

All matters listed on the Consent Report are considered to be routine and are enacted by one motion. There is no separate discussion on these items. If discussion is desired upon request of a Member of Council, that item is removed from the Consent Report and is considered separately. Council Members may request that an item be considered separately if they have a conflict of interest.

1. **THAT** Council consent to the approval of the following routine items:

- (a) **THAT** Council approve the purchase of one (1) 2003 year model Cab & Chassis with Frame-Mounted Crane from Freightliner Kingston for the purchase price of \$140,989.00 + applicable taxes.
(File No. CSU-F18-04-2003)

CARRIED
(Councillor Meers **OPPOSED**)

- (b) **THAT** the 0.3 metre reserves Blocks 80 and 88 of 13M-21, Block 76 of 13M-16, Block 17 of 13M-39, and Block 101 of 13M-41 be dedicated as part of the public highway in accordance with *The Municipal Act, 2001*, and;

THAT the 0.3 metre reserves Blocks 80 and 88 of 13M-21, Block 76 of 13M-16, Block 17 of 13M-39, and Block 101 of 13M-41 be assumed pursuant to *The Municipal Act, 2001*;

–and further–

THAT the by-law be presented for Council's approval.

(File No. CSU-T05-00-2003)

(See **By-Law No. (1), 2003-40**)

CARRIED

Councillor Stoparczyk withdrew from the meeting.

REPORTS

Report No. 13 of the Committee of the Whole

City Council Meeting No. 04
Minutes
January 14, 2003

- (c) **WHEREAS** the additional property is necessary to remediate Creekford Road to reopen for traffic, and;
WHEREAS the Manager of Engineering and the Director of Legal Services have negotiated a purchase price with the Cataraqui Region Conservation Authority for the lands;
THEREFORE BE IT RESOLVED THAT Council authorize the Director of Legal Services to proceed with the purchase of land located on Creekford Road for the Cataraqui Region Conservation Authority in the amount of \$750.00 plus legal costs;
-and further-
THAT the Mayor and City Clerk be authorized to execute the required documentation to close the purchase of the lands.
(File No. CSU-T04-00-2003; CSU-L07-00-2003)

CARRIED

Councillor Stoparczyk returned to the meeting.

Report No. 14 of The Local Architectural Conservation Advisory Committee (LACAC)

Moved by Councillor Rogers
Seconded by Councillor Stoparczyk

THAT Report No. 14 of The Local Architectural Conservation Advisory Committee be received and adopted, clause by clause.

Report No. 14

To the Mayor and Members of Council:
The Local Architectural Conservation Advisory Committee reports and recommends as follows:

1. **THAT** Application P18-260 for the Pump House Steam Museum property located at 11 Ontario Street and owned by the City of Kingston requesting approval to restore windows to match the original windows, design new doors to the courtyard and improve existing doors and sashes, and locate a temporary workshop **BE APPROVED**, in accordance with drawings dated December 17, 2002, with the understanding that options for the appearance of the transom lights will be considered.
2. **THAT** Application P18-01-02 for a designated property located at 235-237 Queen Street, represented by Hughes Downey Architects, requesting final approval for alterations to the windows, trim and roofing of the stone existing building, the reconstruction of dormers and the construction of an addition **BE APPROVED** in accordance with amended drawings received and dated January 6, 2003.

CARRIED

CARRIED

REPORTS (CONTINUED)

Report No. 14 of The Local Architectural Conservation Advisory Committee (LACAC)

City Council Meeting No. 04
Minutes
January 14, 2003

3. **THAT** a Heritage Grant Request for \$9,000.00 from the Market Square Heritage District Fund for **Phase 2** (dome restoration) of Application P18-48-00 (approval granted in 2001 and work done in 2002) for the ongoing restoration of City Hall, 216 Ontario Street, **BE APPROVED.**

CARRIED

4. **THAT** a Heritage Grant Request for \$9,000.00 from the Market Square Heritage District Fund for **Phase 3** (stone restoration) of Application P18-48-00 (approval granted and work done in 2002) for the on-going restoration of City Hall, 216 Ontario Street, **BE APPROVED.**

CARRIED

5. **THAT** Application P18-058 for a property located at 34 Barrie Street, owned by Kingston General Hospital and represented by Mill & Ross Architects, requesting approval for renovations including barrier free design additions including an exterior ramp and removal of wood frame lean to at the rear of the property **BE APPROVED,** with the understanding that there be no changes to the exterior of the building including windows, that the blocks be set into the joints and secured to the building that way, and that the ramp be set out from the building in order to allow air and water to move freely in between.

CARRIED

6. **THAT** in regard to Application P18-54-02 for a property owned by George Mainguy, located at 246 James Street, Barriefield, that the repairs to masonry and the burying of hydro lines **BE APPROVED.**

CARRIED

INFORMATION REPORTS

1. **Tender & Contract Awards Subject to the Established Criteria for Delegation of Authority - November, 2002 (C03-001)**
The purpose of this report is to advise Council of tenders approved and contracts awarded that met the established criteria of delegated authority for the month of November, 2002.
(File No. CSU-F18-00-2003)

MISCELLANEOUS BUSINESS

- (1) Moved by Councillor Campbell
Seconded by Councillor George
THAT the resignation of Betty Harlow from the Kingston Environmental Advisory Forum be accepted.

CARRIED

MISCELLANEOUS BUSINESS

Moved by Councillor Campbell
Seconded by Councillor George

City Council Meeting No. 04
Minutes
January 14, 2003

THAT Stephen Sottile be appointed to the Kingston Environmental Advisory Forum for a term ending November 30, 2003.

CARRIED

- (2) Moved by Councillor Stoparczyk
Seconded by Councillor Sutherland

THAT Council proclaim March 22 - 29, 2003 as "Naturopathic Medicine Week", a week to focus on healing and prevention of disease using natural methods and substances.

CARRIED

MOTIONS

Council consented to the addition of Motion Nos. (12), (13), (14), (15) and (16).

- (1) Moved by Councillor Pater
Seconded by Councillor Garrison

THAT Council receive a report back from Utilities Kingston and the Commissioner of Community Services concerning the presentations on homelessness that were made to Council on December 17, 2002 and in particular, evictions and cut-offs of services (gas, water, electricity), and;

THAT the Housing Division provide a report as to the impact of such a by-law within their operations.
(File No. CSU-S13-00-2003)

CARRIED (12:0)
(See Recorded Vote)

A Recorded Vote was requested by Councillor Meers and commenced with same.

YEAS: Mayor Turner, Councillor Beavis, Councillor Campbell, Councillor Clements, Councillor Foster, Councillor Garrison, Councillor George, Councillor Meers, Councillor Pater, Councillor Rogers, Councillor Stoparczyk, Councillor Sutherland (12)

NAYS: (0)

ABSENT: Councillor Downes (1)

- (2) Moved by Councillor Garrison
Seconded by Councillor Pater

THAT the condolences of Kingston City Council be extended to the family of the late Mr. Al Stephens, long-time resident of the City of Kingston.
(File No. CSU-M11-00-2003)

CARRIED

MOTIONS

- (3) Moved by Councillor Garrison
Seconded by Councillor Beavis

THAT the condolences of Kingston City Council be extended to the family of the late Mrs. Fran Lovett, long-time resident of the City of Kingston.

City Council Meeting No. 04
Minutes
January 14, 2003

(File No. CSU-M11-00-2003)

CARRIED

- (4) Moved by Councillor Garrison
Seconded by Councillor Meers

THAT the condolences of Kingston City Council be extended to the family of the late Mr. Ray Dillon, long-time resident of Strathcona Park.
(File No. CSU-M11-00-2003)

CARRIED

- (5) Moved by Councillor Garrison
Seconded by Councillor Stoparczyk

THAT the congratulations of Kingston City Council be extended to Carlos and Patti Evaristo on the birth of their son, Brandon.
(File No. CSU-M11-00-2003)

CARRIED

- (6) Moved by Councillor Garrison
Seconded by Councillor Meers

THAT the congratulations of Kingston City Council be extended to Grant and Tammy Wallace on the birth of their son, Caleb, first grandchild for George Wallace, Supervisor of Development Approvals for the Planning Division, and his wife, Shirley.
(File No. CSU-M11-00-2003)

CARRIED

- (7) Moved by Councillor Garrison
Seconded by Councillor Sutherland

THAT the condolences of Kingston City Council be extended to Max Piribauer, Assistant Leader of Parking Services, and family on the death of his mother, the late Mrs. Magda Piribaurer.
(File No. CSU-M11-00-2003)

CARRIED

- (8) Moved by Councillor Garrison
Seconded by Councillor Clements

THAT the congratulations of Kingston City Council be extended to Dayna and Mike Harrett on the birth of their son, Keegan, and to Angela and Dave Chapman on the birth of their son, Tyson, grandsons of Mrs. Carolyn Downs, Manager of the Council Support Division, and her husband, John.
(File No. CSU-M11-00-2003)

CARRIED

MOTIONS

- (9) Moved by Mayor Turner
Seconded by Councillor Clements

THAT the condolences of Kingston City Council be extended to the family of the late Mr. Gordon Robertson, long-time resident of the City of Kingston.
(File No. CSU-M11-00-2003)

City Council Meeting No. 04
Minutes
January 14, 2003

CARRIED

- (10) Moved by Councillor Foster
Seconded by Councillor Garrison

THAT the thanks of Kingston City Council be extended to Betty Harlow for her time and dedication to the Kingston Environmental Advisory Forum.
(File No. CSU-M11-00-2003)

CARRIED

- (11) Moved by Councillor Stoparczyk
Seconded by Councillor Garrison

THAT the congratulations of Kingston City Council be extended to Johanna Kuczera on the occasion of her 90th birthday.
(File No. CSU-M11-00-2003)

CARRIED

- (12) Moved by Mayor Turner
Seconded by Councillor Sutherland

THAT the condolences of Kingston City Council be extended to the family of Brett Charlton, Building Inspector in Planning & Development Services.
(File No. CSU-M11-00-2003)

CARRIED

- (13) Moved by Councillor Sutherland
Seconded by Councillor Beavis

THAT the condolences of Kingston City Council be extended to Ken Mundell, Rate Analyst for Utilities Kingston, and family on the death of his mother, the late Eunice Mundell.
(File No. CSU-M11-00-2003)

CARRIED

- (14) Moved by Councillor Garrison
Seconded by Councillor Pater

THAT the congratulations of Kingston City Council be extended to Andrew Francis, Building & Plumbing Inspector in the Building Permits & By-Laws Division, and his wife Michelle, on the birth of their first child, Coen.
(File No. CSU-M11-00-2003)

CARRIED

MOTIONS

- (15) Moved by Councillor Campbell
Seconded by Councillor Clements

THAT the congratulations of Kingston City Council be extended to Jay McClemmet on the success of the Canadian Junior Hockey Team on winning the silver medal at the World's Championship.
(File No. CSU-M11-00-2003)

CARRIED

City Council Meeting No. 04
Minutes
January 14, 2003

- (16) Moved by Councillor Campbell
Seconded by Councillor Beavis

THAT the congratulations of Kingston City Council be extended to Frontenac Secondary School Quarterback Adam Archibald, who will quarterback for the Canadian Junior Football Team as it competes against American All-Star Teams in San Diego on Super Bowl Weekend.
(File No. CSU-M11-00-2003)

CARRIED

NOTICES OF MOTION

MINUTES

Moved by Councillor Beavis
Seconded by Councillor George

THAT the minutes of the following City Council meetings be confirmed:

- Council Meeting No. 26, held November 5, 2002;
- Council Meeting No. 27, held November 19, 2002;
- Council Meeting No. 28, held November 26, 2002;
- Council Meeting No. 01, held December 3, 2002;
- Council Meeting No. 02, held December 10, 2002;
- Council Meeting No. 03, held December 17, 2002.

CARRIED

TABLING OF DOCUMENTS

2003-14 Mill & Ross Architects Inc.
News - Winter 2002
(File No. CSU-C00-00-2003)

2003-15 The Kingston Economic Development Corporation
Minutes - Board of Director's Meeting No. 06-02 - November 18, 2002
(File No. CSU-C06-00-2003)

TABLING OF DOCUMENTS

2003-16 The Kingston Economic Development Corporation
Project Update to December 10, 2002
(File No. CSU-C00-00-2003)

2003-17 The Music and Art Festival Initiative - St. Lawrence College
Enfilade - Winter, 2002
(File No. CSU-C00-00-2003)

City Council Meeting No. 04
Minutes
January 14, 2003

- 2003-18 The Cataraqui Region Conservation Authority
Minutes - General Meeting - November 27, 2002
(File No. CSU-C06-00-2003)
- 2003-19 The Kingston Frontenac Public Library Board
Minutes - Regular Meeting #2002-08 - October 23, 2002
(File No. CSU-C06-00-2003)
- 2003-20 The Kingston Frontenac Public Library Board
Minutes - Regular Meeting #2002-09 - November 27, 2002
(File No. CSU-C06-00-2003)

COMMUNICATIONS

Council consented to the disposition of Communications in the following manner:

Filed

- 04-044 From the City of Thunder Bay, acknowledging receipt of Council's resolution concerning the restoration and renewal of public power with regard to the privatization and deregulation of the electricity market.
(File No. CSU-A16-00-2003; CSU-E06-00-2003)
- 04-045 From the City of Brantford, acknowledging receipt of Council's resolution concerning the restoration and renewal of public power with regard to the privatization and deregulation of the electricity market.
(File No. CSU-A16-00-2003; CSU-E06-00-2003)
- 04-046 From the Region of Peel, acknowledging receipt of Council's resolution concerning the restoration and renewal of public power with regard to the privatization and deregulation of the electricity market.
(File No. CSU-A16-00-2003; CSU-E06-00-2003)
- 04-047 From the City of Sarnia, acknowledging receipt of Council's resolution concerning the restoration and renewal of public power with regard to the privatization and deregulation of the electricity market.
(File No. CSU-A16-00-2003; CSU-E06-00-2003)

COMMUNICATIONS

- 04-048 From the County of Essex, acknowledging receipt of Council's resolution concerning the restoration and renewal of public power with regard to the privatization and deregulation of the electricity market.
(File No. CSU-A16-00-2003; CSU-E06-00-2003)
- 04-049 From the County of Oxford, acknowledging receipt of Council's resolution concerning the restoration and renewal of public power with regard to the privatization and deregulation of the electricity market.

City Council Meeting No. 04
Minutes
January 14, 2003

(File No. CSU-A16-00-2003; CSU-E06-00-2003)

- 04-050 From the City of Vaughan, acknowledging receipt of Council's resolution concerning the restoration and renewal of public power with regard to the privatization and deregulation of the electricity market.
(File No. CSU-A16-00-2003; CSU-E06-00-2003)
- 04-051 From the Honourable John Gerretsen, MPP for Kingston & The Islands, acknowledging receipt of Council's resolution concerning the restoration and renewal of public power with regard to the privatization and deregulation of the electricity market.
(File No. CSU-A16-00-2003; CSU-E06-00-2003)
- 04-052 From Harold Tulk, Chief of Fire & Rescue Services, informing Council of the promotion of Captain Gordon Ball to the rank of Assistant Deputy Chief.
(File No. CSU-C11-00-2003)
(Copies distributed to all Members of Council on January 3, 2003)
- 04-053 From Harold Tulk, Chief of Fire & Rescue Services, informing Council of the promotion of Inspector Robert Kidd to the rank of Assistant Chief of Fire Prevention.
(File No. CSU-C11-00-2003)
(Copies distributed to all Members of Council on January 3, 2003)
- 04-054 From the Honourable Chris Hodgson, Minister of Municipal Affairs & Housing, informing Council of the Affordable Housing Program, an effort to construct approximately 10,500 new affordable housing units across the province, and the Community Rental Housing Fund, which will help municipalities to finance the cost of building the new units.
(File No. CSU-A16-00-2003; CSU-S13-00-2003)
- 04-055 From the Ministry of Municipal Affairs & Housing, announcing the first phase of the Affordable Housing Program.
(File No. CSU-A16-00-2003)
- 04-056 From the Ministry of Agriculture & Agri-Food, acknowledging receipt of Council's resolution concerning the Hay West Initiative.
(File No. CSU-A16-00-2003)
- 04-057 From Jim St. Denis, Coordinator for the Citizens for Justice for Lucy Lu, providing an update on the events surrounding the attempt by Canada's immigration authorities to deport Lucy Lu to China.
(File No. CSU-M04-00-2003)
(Copies distributed to all Members of Council on January 3, 2003)

COMMUNICATIONS

- 04-058 From the Honourable Dalton McGuinty, Leader of the Official Opposition and the Leader of the Ontario Liberal Party, providing documentation outlining the community plans released by the Liberal Party.
(File No. CSU-A16-00-2003)
- 04-059 From Joan Hansen of the Sydenham Ward Tenants' & Ratepayers' Association, informing Council that effective January 1, 2003, Jim Neill will be the Chair of the Sydenham Ward Tenants' & Ratepayers' Association.
(File No. CSU-C15-00-2003)

City Council Meeting No. 04

Minutes

January 14, 2003

(Copies distributed to all Members of Council on January 3, 2003)

04-060 From the Association of Municipalities of Ontario, informing Council that Bill 30, *The Volunteer Firefighters Employment Protection Act, 2002* was defeated.
(File No. CSU-A01-04-2003)

04-061 From the Association of Municipalities of Ontario, informing Council that Bill 195, *The Safe Drinking Water Act*, and Bill 175, *The Sustainable Water & Sewage Systems Act*, have been passed.
(File No. CSU-A01-04-2003)

04-062 From the Association of Municipalities of Ontario, informing Council that Bill 213, *The Justice Statute Law Amendment Act, 2002* has been passed.
(File No. CSU-A01-04-2003)

04-063 From the Federation of Canadian Municipalities, informing Council that the Commons Finance Committee has made several recommendations on the Federal Budget, drawn from the Federation of Canadian Municipalities' submission, and requesting Council's continued support during the Federal Budget Process.

(File No. CSU-A01-02-2003)

(Copies distributed to all Members of Council on January 3, 2003)

04-064 From the Committee of Adjustment, a Notice of Decision for the following applications:

CONSENT - D. ROGER BEECH - in respect of an application for a consent to conveyance for the property at 26 Faircrest Boulevard to sever a 485m² parcel of vacant land from a 745m² parcel of vacant land to be added as a lot addition **BE APPROVED**, subject to conditions. The final date of appeal is January 7, 2003.

CONSENT - D. ROGER BEECH - in respect of an application for a consent to conveyance for the property at 26 Faircrest Boulevard to sever a 0.63 hectare parcel of vacant land from a 1.31 hectare parcel of land to be added as a lot addition for the purpose of creating a new residential building lot **BE APPROVED**, subject to conditions. The final date of appeal is January 7, 2003.

AMENDED - CANADA TRUSTCO MORTGAGE COMPANY - in respect of an application for a consent for Village Lot 3 on the southerly side of Plum Street and the west side of Barrie Street **BE APPROVED** as amended.

MINOR VARIANCE - WENDY ANN O'NEILL - in respect of an application for minor variances from Zoning By-Law No. 8499 for the property at 5 Robert Wallace Drive in order to recognize the existing location of the structures on the property **BE APPROVED**, subject to conditions. The final date of appeal is January 6, 2003.

COMMUNICATIONS

MINOR VARIANCE - PAUL & MARIANNE DAVIS, in respect of an application for a minor variance from Zoning By-Law No. 76-26 for the property at 50 Lakeshore Boulevard in order to recognize the location of the existing structures on the property **BE DENIED**.

CONSENT - NANCY JANE PEARCE - in respect of an application for a consent to conveyance to sever 334/336 Princess Street and related existing rights-of-way, being a 515m² parcel of land with approximately 12.5m of frontage containing a three-storey, 612m² building used for commercial and residential purposes **BE APPROVED**, subject to conditions. The final date of appeal is January 7, 2003.

CONSENT - NANCY JANE PEARCE - in respect of an application for a consent of conveyance to sever 320/322 Princess Street and related existing rights-of-way, being a 261m² parcel of land with

City Council Meeting No. 04

Minutes

January 14, 2003

approximately 8.32m of frontage containing a three-storey, 369.7m² building used for commercial and residential purposes **BE APPROVED**, subject to conditions. The final date of appeal is January 7, 2003.

CONSENT - NANCY JANE PEARCE - in respect of an application for a consent of conveyance to sever 273 Brock Street and related existing rights-of-way, being a 227m² parcel of land with an approximately 3.048m right-of-way to Brock Street, containing a two-storey, 417.5m² building used for commercial and residential purposes **BE APPROVED**, subject to conditions. The final date of appeal is January 7, 2003.

CONSENT - QUEEN'S UNIVERSITY AT KINGSTON - in respect of an application for a consent to conveyance to grant to the Board of Governors of Kingston Hospital a right-of-way for pedestrian purposes only over Parts 3, 5 and 7 on Plan 13R-16366, being a walkway running along the south and easterly side of the new Cancer Research Facility north to Botterell Hall **BE APPROVED**, subject to conditions. The final date of appeal is January 7, 2003.

CONSENT - THE BOARD OF GOVERNORS OF KINGSTON HOSPITAL - in respect of an application for a consent of conveyance to grant a right-of-way to Queen's University for all purposes over Part 10 on Plan 13R-16366, being a portion of the shared parking lot to the south of the new Cancer Research Facility, providing access to O'Kill Street **BE APPROVED**, subject to conditions. The final date of appeal is January 7, 2003.

MINOR VARIANCE - PHILIPPE GEORGE TROTTIER - in respect of an application for a minor variance from Zoning By-Law No. 76-26 for the property at 785 Kimberley Street in order to recognize the location of the existing house **BE APPROVED**, subject to a condition. The final date of appeal is January 6, 2003.

CONSENT - ROSEN CORPORATION LIMITED - in respect of an application for a consent to conveyance for the property at 4 Orchard Street to sever a 7.27m² parcel of vacant land from a 399.27m² parcel of land to be added as a lot addition to land immediately to the west and south and to be used for legal non-conforming commercial purposes in conjunction with the property **BE APPROVED**, subject to conditions. The final date of appeal is January 7, 2003.

(File No. CSU-D19-00-2003)

COMMUNICATIONS

04-065 From the Committee of Adjustment, a Notice of Decision for the following applications:

AMENDED - FRED SCOTT - in respect of an application for a consent to conveyance for property at 2563 Woodburn Road to sever an approximately 20 hectare parcel from an approximately 111.86 hectare parcel **BE APPROVED** as amended.

MINOR VARIANCE - JACK W. CHONG - in respect of an application for minor variances from Zoning By-Law No. 32-74 for the property at 1726 Marian Crescent in order to recognize the location of the existing structures on the property **BE APPROVED**, subject to a condition. The final date of appeal is January 2, 2003.

MINOR VARIANCE - SUZANNE JACQUES - in respect of an application for a minor variance from Zoning By-Law No. 32-74 for the property at 1678 Jackson Boulevard in order to permit the

City Council Meeting No. 04

Minutes

January 14, 2003

construction of a 111.4m² addition to the applicant's house and a 7m² addition to the garage **BE APPROVED**, subject to a condition. The final date of appeal is January 2, 2003.

CONSENT - KEVIN J. MULROONEY - in respect of an application for a consent to sever a 2.023 hectare parcel of vacant land from an approximately 64.4 hectare parcel of vacant land for the purpose of creating a new residential building lot **BE APPROVED**, subject to conditions. The final date of appeal is January 5, 2003.
(File No. CSU-D19-00-2003)

04-066 From the Cataraqui Region Conservation Authority, a copy of members' attendance records to the various boards of the Cataraqui Region Conservation Authority.
(File No. CSU-C15-00-2003)
(Copies distributed to all Members of Council on January 3, 2003)

04-067 From the Rural Ontario Municipal Association, a list of those persons currently serving as members of the Rural Ontario Municipal Association and informing Council that nominations to the Rural Ontario Municipal Association must be submitted by January 31, 2003.
(File No. CSU-A16-00-2003)

04-068 From Tom Greening, Executive Director for Home Base Non-Profit Housing, an update on the status of the In From The Cold Shelter Service provided by Home Base Housing.
(File No. CSU-S13-00-2003)

04-085 From Suzanne Elston, Executive Director for the Recycling Council of Ontario, informing Council of the upcoming public consultation on Ontario's Blue Box Waste Diversion Program on Monday, January 13, 2003 in Memorial Hall. There will be an Open House from 3:00 pm to 7:00 pm, followed by a workshop from 7:00 pm to 9:30 pm.
(File No. CSU-A16-00-2003; CSU-E07-01-2003)
(Copies distributed to all Members of Council on January 3, 2003)

Referred to All Members of Council

04-070 From the City of Thorold, requesting Council's support of a resolution to petition the Ministry of Energy to change Hydro One back to a not-for-profit company and to distribute any surplus earnings back to Hydro One Networks Inc. customers in the form of a rebate.
(File No. CSU-C10-00-2003)
(Copies distributed to all Members of Council on January 3, 2003)

COMMUNICATIONS

04-071 From the City of Pickering, requesting Council's support of a resolution to petition the Ministry of Agriculture & Agri-Food and the Canadian Food Inspection Agency to take steps to establish an outer limit to the infestation of the Emerald Ash Borer, a non-indigenous insect that destroys ash trees.
(File No. CSU-C10-00-2003)
(Copies distributed to all Members of Council on January 3, 2003)

04-072 From Margaret Anne McHugh, requesting that Council proclaim March 22 - 29, 2003 as "Naturopathic Medicine Week", a week to focus on healing and prevention of disease using natural methods and substances.
(File No. CSU-M10-00-2003)
(See Miscellaneous Business Item (2))

City Council Meeting No. 04

Minutes

January 14, 2003

- 04-073 From the Federation of Canadian Municipalities, inviting Council to submit resolutions for debate on subjects of national municipal interest at the National Board of Directors' Meeting on March 5-8, 2003 in Regina, Saskatchewan.
(File No. CSU-A01-02-2003)
(Copies distributed to all Members of Council on January 3, 2003)
- 04-084 Betty Harlow, informing Council of her resignation from the Kingston Environmental Advisory Forum and thanking Council for the opportunity to serve on this committee.
(File No. CSU-M11-00-2003)
(See Miscellaneous Business Item (1) and Motion No. (10))

Referred to the Commissioner of Operations

- 04-074 From Tom Davis, Supervisor of Security Services & Emergency Response for Kingston General Hospital, requesting the approval of Council to appoint specific employees (Lori Elson, Andria Johnston, Marion Koch, Kristopher Sutherland, Lauren Brown) to be By-Law Enforcement Officers for the purpose of issuing tickets on the property of Kingston General Hospital.
(File No. CSU-P01-03-2003)
(See By-Law No. (2), 2003-41)
- 04-075 From G. E. Pierog, Kingston Area Manager for the Corps of Commissionaires, requesting the approval of Council to appoint specific employees to be By-Law Enforcement Officers for the purpose of issuing tickets on various properties (Commissionaire Major Arseneault - Kingston Shopping Centre; Commissionaire Kirk Snider - Providence Continuing Care Center Mental Health Unit).
(File No. CSU-P01-03-2003)
(See By-Law No. (3), 2003-42)

Referred to the Commissioner of Planning & Development Services

- 04-076 From Paul Rappell, an email intended to follow up the points discussed at the Pathways Study and Transportation Master Plan meeting on November 28, 2002.
(File No. CSU-T10-00-2003)

COMMUNICATIONS

Referred to the Commissioner of Community Services and the President & CEO of Utilities Kingston

- 04-077 From Robyn Hartley of the Queen's Coalition Against Corporate Globalization registering support of the proposed by-laws to prevent evictions and utility cut-offs from October 31st to May 1st.
(File No. CSU-S13-00-2003)
(Copies distributed to all Members of Council on January 3, 2003)
- 04-078 From Jeanette Melo, Eviction Avoidance Worker for the Homelessness Prevention Program, registering support of the proposed by-laws to prevent evictions and utility cut-offs from October 31st to May 1st.
(File No. CSU-S13-00-2003)
(Copies distributed to all Members of Council on January 3, 2003)
- 04-079 From Eric Walton, President of the Kingston & The Islands Green Party, registering support of the proposed by-laws to prevent evictions and utility cut-offs from October 31st to May 1st.

City Council Meeting No. 04
Minutes
January 14, 2003

(File No. CSU-S13-00-2003)

(Copies distributed to all Members of Council on January 3, 2003)

04-080 From Kathryn Elmer, Vice-President Extern 1 of the Society of Graduate & Professional Students, registering support of the proposed by-laws to prevent evictions and utility cut-offs from October 31st to May 1st.

(File No. CSU-S13-00-2003)

(Copies distributed to all Members of Council on January 3, 2003)

Referred to the Chief Administrative Officer

04-081 From the Association of Municipalities of Ontario, informing Council of the Bill 210 Fund and seeking a contribution from Council as a shareholder of a Local Distribution Company.

(File No. CSU-A01-04-2003)

(Copies distributed to all Members of Council on January 3, 2003)

Referred to the President & CEO of Utilities Kingston

04-082 From Borden Ladner Gervais LLP, offering to assist Council in dealing with Bill 210 and the implications of the proposed legislation.

(File No. CSU-E06-00-2003)

(Copies distributed to all Members of Council on January 3, 2003)

04-083 From Barker, Dunn & Rossi, offering to assist Council in dealing with Bill 210 and the implications of the proposed legislation.

(File No. CSU-E06-00-2003)

(Copies distributed to all Members of Council on January 3, 2003)

OTHER BUSINESS

Councillor Garrison requested that the debit process for hydro payments be structured in such a way that automatic bill payments are taken out at the same time every month.

Councillor Garrison advised that in accordance with the Community Strategic Plan adopted by Council that there is a commitment to strengthening neighbourhoods. Councillor Garrison voiced concerns as to the streamlining of the City's outdoor rinks and believed this was not taking care of our neighbourhoods and our communities. Councillor Garrison noted that in his constituency of Strathcona Park he was advised that there will be no outdoor rink for this year. Councillor Garrison noted the difficulties in explaining to his constituents when services are being cut. Councillor Garrison asked the Mayor to look into this matter and see if the City can get the rinks up and running. He further requested that previous assurances for a splash pad and wading pool be investigated and adhered to for his District.

Councillor Meers advised he has requested boards be erected and flooding be provided for his district's rink and noted he has received no response to his enquiries.

City Council Meeting No. 04
Minutes
January 14, 2003

Councillor Meers indicated the rates at Wally Elmer Arena had been increased 10% or \$160,000, which was to have been matched by the City of Kingston for a total of \$240,000.00, and asked what portion of the money was spent on other rinks, and where that money went this year and last year.

Councillor Meers referred to a Kingston Whig Standard article referring to missed deadlines and requested that Council be advised of these matters before learning about it in the press.

The Mayor responded that not one word concerning this matter has been received from the Province.

BY-LAWS

- (A) Moved by Councillor Garrison
Seconded by Councillor George

THAT By-Laws (1) through (4) be given their first and second reading.

CARRIED

- (B) Moved by Councillor Meers
Seconded by Councillor Pater

THAT By-Laws (4) through (13) be given their third reading.

CARRIED

- (1) A By-Law To Establish The 0.3 Metre Reserves Blocks 80 & 88 Of 13M-21, Block 76 Of 13M-16, Block 17 Of 13M-39, And Block 101 Of 13M-41, As Part Of The Public Highway In Accordance With The Municipal Act, 2001 And To Assume The Lands Pursuant To The Municipal Act, 2001.

FIRST AND SECOND READINGS
(Clause (b), Report No. 14)

PROPOSED NO. 2003-40

BY-LAWS

- (2) A By-Law To Amend By-Law No. 99-166 "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Kingston General Hospital - Appoint Lori Elson, Andria Koch, Kristopher Sutherland, Lauren Brown).

FIRST AND SECOND READINGS
(Communication No. 04-074)

PROPOSED NO. 2003-41

- (3) A By-Law To Amend By-Law No. 99-166 "A By-Law To Prohibit The Parking Or Leaving Of Motor Vehicles On Private Property Without The Consent Of The Owner Or Occupant Of The Property, Or On Property Owned Or Occupied By The City Of Kingston Or Any Local Board Thereof, Without The Consent Of The City Of Kingston Or The Local Board" (Kingston Shopping Centre - Appoint Commissionaire Major Arsenault; Providence Continuing Care Center Mental Health Unit - Appoint Commissionaire Kirk Snider).

FIRST AND SECOND READINGS

PROPOSED NO. 2003-42

City Council Meeting No. 04
Minutes
January 14, 2003

(Communication No. 04-075)

- (4) A By-Law To Confirm The Proceedings Of Council At Its Meeting Held On Tuesday, January 14, 2003.
THREE READINGS PROPOSED NO. 2003-43
(City Council Meeting No. 04-2002)
- (5) A By-Law To Establish The One-Foot Reserves Of Registered Pan 1094, As Part Of The Public Highway In
Accordance With Section 297 Of The Municipal Act, Chapter M45, R.S.O. 1990 And To Assume The Lands
Pursuant To Section 259, Chapter M45 Of The Municipal Act, R.S.O. 1990.
THIRD READING PROPOSED NO. 2003-19
(Clause (a), Report No. 05)
- (6) A By-Law To Provide For The Provision Of Roads In The City Of Kingston.
THIRD READING PROPOSED NO. 2003-30
(Clause (3), Committee of the Whole)
- (7) A By-Law To Provide For The Provision Of Sidewalks In The City Of Kingston.
THIRD READING PROPOSED NO. 2003-31
(Clause (3), Committee of the Whole)
- (8) A By-Law To Provide For The Provision Of Street Lighting In The City Of Kingston.
THIRD READING PROPOSED NO. 2003-32
(Clause (3), Committee of the Whole)
- (9) A By-Law To Amend By-Law No. 2000-157 "A By-Law To Impose Water & Waste Water (Sewage Service)
Rates And Miscellaneous Charges" (Amend Appendixes "A" & "B" - Rates & Charges).
THIRD READING PROPOSED NO. 2003-33
(Clause (4), Report No. 10)

BY-LAWS

- (10) A By-Law To Adopt The 2003 Capital Budget.
THIRD READING PROPOSED NO. 2003-34
(Clause (4), Report No. 12)
- (11) A By-Law To Amend By-Law No. 94-49 (Former Kingston Township) "A By-Law To Repeal By-Law 87-137
Regarding Sidewalks" (Delete Section 2)
THIRD READING PROPOSED NO. 2003-36
(Clause (3), Committee of the Whole)
- (12) A By-Law To Repeal By-Law No. 2616 (Former City of Kingston) "A By-Law To Provide For Regulations
Concerning Local Improvement Petitions"
THIRD READING PROPOSED NO. 2003-37
(Clause (3), Committee of the Whole)

City Council Meeting No. 04
Minutes
January 14, 2003

- (13) A By-Law To Amend By-Law No. 9341 (Former City of Kingston) "A By-Law To Establish Policies Concerning Local Improvements".
THIRD READING
(Clause (3), Committee of the Whole)
- PROPOSED NO. 2003-38

ADJOURNMENT

Moved by Councillor Beavis
Seconded by Councillor Campbell

THAT Council do now adjourn.

CARRIED

Council adjourned at 8:43 pm.

(Signed)

Nicole Sullivan
Acting City Clerk

Isabel Turner
Mayor